

# PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-407 or 85-2-436, MCA)  
The following application has been submitted to renew a temporary authorization for change.

# RECEIVED

SEP 01 2016

**Application Number :** 41G 30106193

**Applicant :** MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

<u>Water Right Type</u>	<u>WATER RIGHT NUMBER(S) BEING CHANGED</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	41G-25646	AUGUST 29, 1912
STATEMENT OF CLAIM	41G-196995	DECEMBER 31, 1884
STATEMENT OF CLAIM	41G-197171	AUGUST 23, 1889

### PAST USE OF WATER

HISTORICALLY, STATEMENTS OF CLAIM 41G 25646-00, 41G197171-00, AND 41G 196995 WERE FOR 17 ACRES AND 1 CFS, 36 ACRES AND 2.66 CFS, AND 120 ACRES AND 3.64 CFS, RESPECTIVELY. EACH RIGHT IS OWNED BY A DIFFERENT OWNER. WATER WAS DIVERTED FROM HELLS CANYON CREEK, A TRIBUTARY OF THE JEFFERSON RIVER, FOR FLOOD IRRIGATION ON A TOTAL OF 173 ACRES WITH A COMBINED FLOW RATE OF 7.3 CFS.

### PROPOSED CHANGE

**FLOW RATE: 7.30 CFS**

**ACRES: 173.00**

THIS APPLICATION IS TO RENEW A TEMPORARY CHANGE. THE TEMPORARY CHANGE WAS ORIGINALLY ISSUED ON 5/10/1995. THE AUTHORIZATION WAS RE-ISSUED ON 1/11/1995 AND APPROVED A CHANGE FOR A PERIOD OF 20 YEARS, FROM 4/1/1996 THROUGH 4/1/2016. A CHANGE OF PORTIONS OF STATEMENTS OF CLAIM 41G 25646-00, 41G 196995-00, AND 41G 197171-00 WAS AUTHORIZED FOR MAINTAINING AND ENHANCING STREAMFLOWS FOR FISHERIES IN HELLS CANYON CREEK FROM APRIL 1 THROUGH NOVEMBER 1. THE APPLICANTS REPLACED A DITCH WITH A PIPELINE SYSTEM AND CONVERTED FROM FLOOD TO SPRINKLER IRRIGATION. THE MAXIMUM FLOW RATE UNDER THESE THREE CLAIMS IS 7.3 CFS. THE MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS LEASED WATER SALVAGED UNDER THE EFFICIENCY UPGRADES IN THE AMOUNT OF 1.12 CFS FOR PROTECTED INSTREAM FLOWS, LEAVING THE REMAINING FLOW RATE AVAILABLE FOR IRRIGATION. UNDER THIS AUTHORIZATION, THE APPLICANTS MAY CONTINUE TO IRRIGATE THE HISTORICALLY IRRIGATED 173 ACRES. THE CHANGED PLACE OF USE FOR INSTREAM FISHERIES INCLUDES A REACH OF HELLS CANYON CREEK FROM THE PIPELINE POINT OF DIVERSION, LOCATED IN THE NWNWNW OF SECTION 34, TO THE CONFLUENCE OF THE CREEK WITH THE JEFFERSON RIVER, LOCATED IN THE W2NWSE OF SECTION 34, T02 S, R06 W, MADISON COUNTY. UNDER THE TERMS OF THE LEASE, THE HISTORICAL DITCH AND HISTORICAL HEADGATE, LOCATED IN THE NWSENE OF SECTION 34 CANNOT BE OPERATED. THE RENEWAL PERIOD REQUESTED IS AN ADDITIONAL THREE YEARS.

NEW EVIDENCE OF ADVERSE EFFECT TO OTHER WATER RIGHTS MUST BE SUBMITTED IN WRITING BY **NOVEMBER 30, 2016**. MAIL THE EVIDENCE TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, PO BOX 201601, HELENA, MT 59620-1601.

ANY QUESTIONS REGARDING THIS APPLICATION SHOULD BE DIRECTED TO THE WATER RESOURCES REGIONAL OFFICE, 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 PHONE: 406-586-3136 FAX: 406-587-9726

**PUBLISHED IN: MADISONIAN ON SEPTEMBER 1, 2016.**